

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL ACTION
)	NO. 05-1401-CBS
LOWELL T. MANNING,)	(Hanscom Air Force Base)
Defendant,)	
)	

ORDER
August 5, 2005

SWARTWOOD, C.M.J.

I. Nature Of The Proceeding

A Criminal Complaint has been filed charging Mr. Manning with a second offense of driving under the influence of alcohol in accordance with Ch. 90 §24, M.G.L.A. as assimilated by 18 U.S.C. §13. The penalty for this offense has been limited to one year and therefore, I have jurisdiction of this case.

II. Discovery

The Government shall complete its obligation for automatic discovery by August 15, 2005; Mr. Manning shall file any motions for discovery by September 1, 2005; and the Government shall respond to those motions by September 15, 2005,

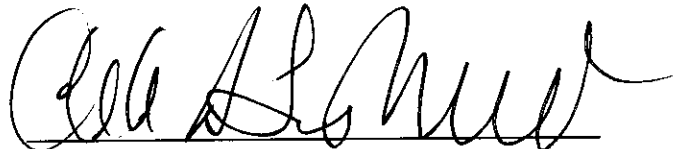
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III. Further Status Conference

A further status conference by telephone¹ shall be held in this case on September 19, 2005, at 3:30 p.m., in Courtroom 1, Fifth Floor, Donohue Federal Building, United States Courthouse, 595 Main Street, Worcester, Massachusetts.

IV. Excludable Time

I am excluding from the Speedy Trial Act, the period from August 4, 2005 (date of arraignment) through September 15, 2005 (date by which the Government is to file its response to Mr. Manning's discovery motions). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Thursday, November 24, 2005.

A handwritten signature in black ink, appearing to read "Charles B. Swartwood, III", written over a horizontal line.

CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE

¹Counsel shall call my courtroom deputy clerk (508-929-9905) to advise her at what telephone number they can be reached for this conference.